

Customer No. 33401

Attorney Docket No. 073758-0013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
RECEIVED
CENTRAL FAX CENTERIn re Application of:
C. Earl Woolfork

Group Art Unit: 2644

JUL 26 2005

Serial No.: 10/648,012

Examiner: Andrew R. Graham

Filed: August 26, 2003

For: WIRELESS DIGITAL AUDIO
SYSTEMCERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.6(d)

I hereby certify that this correspondence is being transmitted via facsimile to 571-273-8300 under 37 CFR 1.6(d) on the date below.

Date: 7/26/05


Anita ChouCommissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed May 18, 2005, rejecting claims 1-5. An amendment was filed in response to this action on or about July 1, 2005. The amendment has been entered. The amendment cancels claims 2, 3 and 5, and adds claims 6 and 7. The amended claims are those which Applicant wishes to appeal. Accordingly, the present appeal pertains to Claims 1, 4, 6 and 7.

This appeal is being presented because various claims of the present application have been rejected on at least three occasions. The present application has been rejected once. The present application is a continuation-in-part of U.S. patent application serial no. 10/027,391. This parent application was rejected twice.

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The items checked below are appropriate:

STATUS OF APPLICANT

This application is on behalf of

☐ other than a small entity

☒ small entity

FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(e) the fee for filing the Notice of Appeal is:

☒ small entity \$250.00

☐ other than a small entity \$500.00

☐ Notice of Appeal fee due \$250.00

☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$250.00

TOTAL FEE DUE \$250.00

FEE PAYMENT

☒ Charge Account No. 50-1946 the sum of \$ 250.00. A duplicate of this transmittal is attached.

FEE DEFICIENCY

Please charge any additional fees which may be required, or credit overpayment to Deposit Account No. 50-1946.

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Respectfully submitted,

July 26, 2005
Date

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